



City of Farmington Hills

OFFICE OF MAYOR AND
CITY COUNCIL

RESOLUTION
Opposing Senate Bill 522

WHEREAS, the Michigan State Senate with a vote of 29-9 adopted SB 522 on June 9, 2005, a bill that would prevent the City of Farmington Hills and other municipalities from having any say on whether or not utilities are placed within the rights of ways of limited access highways, which would include I-275 and I-696 in Farmington Hills; and

WHEREAS, the ramification of SB 522 is the continuing incremental assault on the ability of local governments to control where utilities are placed. If this legislation is passed, it may set a precedent whereby pipeline oil and utility companies may try to eliminate local control of all state-owned and/or funded roads; and

WHEREAS, the proponents of the bill are taking action to the issue in response to the Michigan Supreme Court decision where the City of Lansing argued that the pipeline proposed was within close proximity to multiple city water wells, a day care facility, a major business district, and many neighborhoods, thus posing a public health and safety risk for concentrated populations. Based on current statute, the City of Lansing then won the Supreme Court case. However, pipeline oil and utility companies are now attempting to change the law through SB 522 that would eliminate local control; and

WHEREAS, this is a statewide issue and we do not want pipelines placed next to sensitive areas without any voice in the matter; and


WHEREAS, passage of the bill would reverse the Michigan Supreme Court decision affirming local control in such matters, effectively shifting local authority to pipeline oil and utility companies; and

WHEREAS, local officials have the primary responsibility and obligation to protect the health, safety and welfare of our citizens; and

WHEREAS, it is vitally important to voice opposition to this bill immediately, as it is on the fast track and has been referred to the House Committee on Energy and Technology for a hearing on Wednesday, June 15 at 9 a.m.

NOW, THEREFORE, BE IT RESOLVED that the City of Farmington Hills opposes Senate Bill 522 and asks all legislators to oppose this legislation that would remove the ability of local officials to protect the health, safety and welfare of citizens in their communities, a right that has been affirmed time and again by the Michigan Supreme Court.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Governor Jennifer Granholm, State Senator Gilda Jacobs, State Representative Aldo Vagnozzi, all members of the State House of Representatives, State Senate, and the Michigan Municipal League. Adopted this 13th day of June, 2005


Vicki Barnett, Mayor

I, Kathryn A. Dornan, City Clerk of the City of Farmington Hills, Michigan do hereby certify that the foregoing is a true and correct copy of a Resolution unanimously adopted by the Farmington Hills City Council at its regular meeting held June 13, 2005.

Kathryn A. Dornan, City Clerk